IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 36524 of 2007(W)

PETITIONERS:
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1. M.O.JOSEKUMAR, S/O. OUSEPH,
MANAGING PARTNER, CENTRAL WOOD COMPLEX,
PERUMBA, PAYYANNUR, KANNUR DISTRICT.

2. VALSA JOSEKUMAR, W/O. JOSEKUMAR,
PARTNER, CENTRAL WOOD COMPLEX, PERUMBA,
PAYYANNUR, KANNUR DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS:
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1. THE SPECIAL TAHSILDAR (R.R.),
TALIPARAMBA.

2. THE COMMERCIAL TAX OFFICER,
PAYYANNUR.

3. THE DEPUTY COMMISSIONER (APPEALS),
KOZHIKODE.

BY GOVERNMENT PLEADER SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 36524 OF 2007 W
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Dated this the 11th day of December, 2007

J U D G M E N T

Aggrieved by Ext.P3 order of assessment, petitioner has filed Ext.P4 appeal and Ext.P5 stay petition, which are now pending before the 3rd respondent. In the meanwhile, petitioner submits that recovery proceedings have been initiated by Exts. P6 and P7. Challenging these proceedings, this writ petition has been filed.

2. Now that the Appellate Authority is seized of the matter and that orders have not been passed even on the stay petition filed by the petitioner, I dispose of this writ petition directing the 3rd respondent to consider and pass orders on Ext.P5 application for stay filed by the petitioner, as expeditiously as possible, at any rate within three weeks of production of a copy of this judgment.

In the meantime, further proceedings pursuant to Exts. P6 and P7 shall be deferred for a period of four weeks.

Petitioner shall produce a copy of this judgment before the 3rd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp